



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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October 4, 2002

Interim Lake Erie Water Snake Guidelines

Although implementation of these guidelines does not remove legal liability associated with take of a Federally threatened species, the U.S. Fish and Wildlife Service (hereafter, Service) believes that if you follow these guidelines, you are not likely to injure or disrupt the normal behavior patterns of Lake Erie water snakes. When an agency or individual is involved in Lake Erie island development activities (including septic system construction), the Service encourages the use of caution to avoid take of Lake Erie water snakes. Anyone planning such activities should contact the Service for project design assistance. We have developed the following interim summer and winter guidelines to assist in avoiding take of Lake Erie water snakes. These season-based guidelines utilize the best, current scientific and commercial information, and the guidelines may change as new information becomes available.

Winter Hibernation Habitat Guidelines

Lake Erie water snakes hibernate from approximately November 1 through May 1 each winter season. The water snakes hibernate in suitable winter hibernation sites located above water level on both the island shoreline and island interior. Suitable winter hibernation sites include cracks and crevices in base rock, rock piles, animal burrows, certain tree components (e.g., downed trees, standing trees with base cavities, or exposed root masses), or human-made structures (e.g., walls, erosion barriers, or foundations made of rock or concrete, docks, drainage tiles, building pads, piled debris on the ground surface, etc.). During hibernation, Lake Erie water snakes are unable to move and are vulnerable to any disturbance of their hibernation sites. Any excavation activity, removal of suitable tree roots or hollow tree bases, destruction of human-made structures (walls, etc.) or disturbance of other suitable hibernation habitat sites may cause take of Lake Erie water snakes.

At island sites where suitable winter hibernation habitat exists, no excavation activity should occur from November 1 through May 1. Activities to be avoided include, but are not limited to, digging septic system test holes, removing suitable tree roots or hollow tree bases, and destroying suitable human-made structures (walls, etc.). If such activities must occur during the winter months, excavators should contact us early to seek our technical assistance in exploring alternatives to avoid take of Lake Erie water snakes. Contacting us early allows us to review a

proposed project, discuss options, address species needs, and find solutions while avoiding project delays. If incidental take is unavoidable, early planning also will help ensure compliance with the ESA through sections 7 (interagency consultation for projects funded, authorized, or carried out by a Federal agency) or 10 (development of an HCP for non-Federal projects) while avoiding project delays.

In order to avoid taking Lake Erie water snakes, excavation of any kind in potential suitable winter hibernation habitat should be completed only during warmer months (i.e., from May 1 to November 1), and then only when both air and ground temperatures are above 65 degrees Fahrenheit for five consecutive days prior to excavation. When the ground and air temperatures are less than 65 degrees Fahrenheit, the water snakes are sluggish and experience difficulty in moving away from excavation equipment. Hibernating snakes cannot move at all during low winter temperatures. On the day of excavation, the air and ground temperatures also should be above 65 degrees Fahrenheit, and the excavation site should be actively monitored for Lake Erie water snakes. The monitoring should be conducted before and during construction by an individual trained to identify Lake Erie water snakes. If water snakes are encountered during excavation, operations should cease immediately and the monitoring individual should contact us promptly at our Reynoldsburg, Ohio, field office (614-469-6923 extensions 12, 16, or 22). Exercising these precautions will help avoid injuring or killing hibernating Lake Erie water snakes.

In locations that do not contain suitable hibernation habitat (e.g., locations composed purely of topsoil covered by short grasses and forbs), ground disturbance activities during cold months (i.e., after November 1 and before May 1) are not likely to cause take of Lake Erie water snakes. For ground disturbing activities in these sites, there is no need to contact the Service. Anyone uncertain about whether or not a site contains suitable winter hibernation habitat should contact our Reynoldsburg office.

Guidelines for Summer Habitat and the Shoreline Vegetation Interface

During warm months (i.e., from May through October), Lake Erie water snakes are found most often within 300 feet of the Lake Erie island shoreline. The water snakes also are found within 300 feet of ponds, wetlands or streams within the interior of the islands. Cliffs with crevices, rocky shorelines, and rock-filled structures such as docks, breakwater rocks, and shoreline erosion barriers provide important shelter, breeding and foraging habitat for Lake Erie water snakes. The water snakes forage for small fish and amphibians near these locations and use spaces among rocks in the structures and along the shoreline for rest, reproduction, and protection from predators.

The shoreline/vegetation interface adjacent to the island shoreline and interior island ponds, wetlands, and streams is vital to both the summer and winter survival of Lake Erie water snakes. Any kind of excavation or removal of shrubs, standing or downed trees, root masses, animal burrows, piled rock, cliffs, or bedrock within 300 feet of the shoreline, ponds, wetlands, or streams may cause take of Lake Erie water snakes. For this reason, if you conduct such activities, you should contact the Service early to seek technical assistance in exploring

alternatives that avoid take. Contacting us early allows us to review a proposed project, discuss options, address species needs, and find solutions while avoiding project delays. If incidental take is unavoidable, early planning also will help ensure compliance with the ESA through sections 7 (interagency consultation for projects funded, authorized, or carried out by a Federal agency) or 10 (development of an HCP for non-Federal projects) while avoiding project delays.

The Service encourages preservation or construction of structures with designs beneficial to water snakes (e.g., certain rock walls, rock-filled crib docks, and rock erosion barriers, etc.) because such structures provide summer and winter shelter for the snakes. When building or replacing a dock, you should contact the U.S. Army Corps of Engineers, Ohio Environmental Protection Agency, Division of Surface Water, and Ohio Department of Natural Resources Coastal Services Center for technical assistance on construction and obtaining permits. When conducting such activities, you should also contact us early for technical assistance in exploring alternatives or pursuing necessary compliance in ESA section 7 project review or a section 10 HCP and associated incidental take permit.

In addition to contacting us early in the project planning process, construction projects during warm months (i.e., from May through October) in the sensitive locations described above should be actively monitored for Lake Erie water snakes. The monitoring should be conducted before and during construction by someone trained to identify Lake Erie water snakes. If water snakes are encountered within the project area during construction, operations should cease and the monitoring person should contact us immediately in our Reynoldsburg, Ohio, office (614-469-6923 extensions 12, 16, or 22). Finally, any holes or trenches that are dug should be filled in as soon as possible to prevent water snakes from inadvertently falling into them and becoming trapped. Holes or trenches should be inspected for Lake Erie water snakes before being filled.

Questions

We will gladly answer any questions you may have. Three people are available in the Service's Reynoldsburg, Ohio, office by dialing 614-469-6923. For questions about U.S. Army Corps of Engineers permits, contact habitat conservation biologist Megan Seymour at phone extension 16. For questions about Lake Erie water snake biology or about the Endangered Species Act, contact endangered species biologist Angela Boyer (ext. 22). All questions may also be directed to the office's Supervisor, Dr. Mary Knapp (ext. 12).